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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,096	06/01/2000	Michael Heideman	AIRF-01013US0-MCF/KJD	7724

23910 7590 01/29/2003

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EXAMINER

NGUYEN, THU V

ART UNIT PAPER NUMBER

3661

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/588,096

Applicant(s)

HEIDEMAN, MICHAEL

Examiner

Thu V Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 & 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 11-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 11, lines 6, 9 the claimed "transmitter/receiver" is ambiguous. It is not clear if the claimed limitation should be read as "transmitter or receiver" or "transmitter and receiver".

Claims 12-15 are rejected as being dependent on the rejected base claim.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamai (U.S Patent No. 5,608,635) in view of Sato (U.S Patent No. 5,906,654) and further in view of Myr (U.S Patent No. 6,480,783) and Takanabe et al (U.S Patent No. 5,359,527).

As per claim 1, 2, 5-8, 10, 16, Tamai teaches a method for obtaining a travel time which comprises: requesting a search category from a user (col.4, lines 57-61); obtaining a plurality of locations in the search category (col.5, lines 13-15);

Tamai does not teach determining if the selected area should be expanded. However, Sato teaches expanding the search area (col.5, lines 31-66).

Tamai does not teach estimating the travel time, and sorting the travel time. However, Tamai teaches the capability of determining the travel time between the current position to a destination (col.5, lines 12-21), and Myr teaches estimating the time by dividing the distance from a first location to a second location by maximum speed (col.11, lines 45-59). Tamai in view of Myr does not explicitly teach determining whether the estimated travel time is less than a predetermined limit. However, determining is travel time to be less than a predetermined limit would have been well known.

Tamai does not teach sorting the travel time in ascending values. However, Takanabe teaches sorting the destination in ascending time order (col.6, lines 43-55).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to display the plurality of candidates of destinations of Tamai in ascending

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order of estimate time as taught by the combined teachings of Sato, Myr and Takanabe in order to facilitate user's selection of the candidate destination that appears best fitted to the user.

As per claim 3-4, 13, Tamai teaches the search category being a gas station (col.4, line 65), further, including restaurant to the selected category would have been well known.

As per claim 9, 11-12, 14, refer to discussion in claim 1 above, further, using a cell phone with transceiver and receiver as a navigation display device, and using a computer as a processing device, and a persistence storage device storing map data would have been well known.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 305-7687, (for formal communications intended for entry)

**Or:**

(703) 305-7687 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

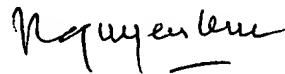
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Hand-delivered responses should be brought to Crystal Park V, 2451 Crystal Drive,  
Arlington. VA., Seventh Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner  
should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner  
can normally be reached on Monday-Thursday from 8:00 am to 6:00 pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
supervisor, William Cuchlinski, can be reached on (703) 308-3873. The fax phone number for  
this Group is (703)305-7687 .

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Group receptionist whose telephone number is (703)308-1111.



Thu Nguyen

January 27, 2003